

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

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4 UNITED STATES OF AMERICA,

5
6 V.

11 CR 00121

7 MARK MAZER, et al.

8 DEFENDANT.

9 -----x

10 April 16, 2013

11 10:35 a.m.

12 Before:

13 HON. GEORGE B. DANIELS

14 District Judge

15 APPEARANCES

16 PREET BHARARA
United States Attorney for the
17 Southern District of New York

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Assistant United States Attorney

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25 (continued)

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1 (Case called.)

2 (Time Noted: 10:33 a.m.)

3 THE DEPUTY CLERK: United States versus Mark Mazer, et
4 al 11 CR 121. State your name, beginning with the Government.

5 MR. MASTER: Good morning. Howard Master, at the
6 counsel table is Andrew Goldstein, also an Assistant United
7 States Attorney.

8 MR. SHARGEL: Good morning, your Honor. Gerald
9 Shargel for Mr. Mazer.

10 MR. BRAFMAN: Benjamin Brafman for Ms. Larisa Medzon.

11 MR. BOHRER: Good morning, Barry Bohrer with Sid
12 Kamaraju and Eli Mark for Mr. Denault.

13 MS. KEDIA: Good morning, Sarita Kedia for defendant
14 Anna Makovetskaya.

15 MR. MAZUREK: Henry Mazurek on behalf of Svetlana
16 Mazer.

17 MR. HOFFMAN: Jeffrey Hoffman and Susan Wolfe for
18 defendant Dimitry Anonshtein.

19 THE COURT: Let me start with the Government. What is
20 the status from the Government?

21 MR. MASTER: Your Honor, I don't think there are any
22 outstanding discovery issues to resolve except to the extent
23 some pretrial motion or motion in limine practice seeking early
24 production of certain documents, but short of that I think
25 there are no disputes that need to be resolved at this time. I

1 believe the parties have a proposed a motion schedule that is
2 agreed upon. And the Government has agreed actually to turn
3 over exhibits well in advance of trial. I'll set forth the
4 proposed schedule for the Court's consideration at this time
5 with the Court's permission.

6 THE COURT: Sure.

7 MR. MASTER: As the Court indicated in endorsing the
8 prior letter, scheduling letter, defense motions are scheduled
9 to be filed by May 13, those are pretrial motions. We propose
10 that the Government's response be due on June 10 and replies be
11 filed on June 24. And then obviously we didn't know the
12 Court's calendar, but we would propose a date in July, if the
13 Court wishes to schedule argument or evidentiary hearing if
14 necessary for the Court to hear the parties on the pretrial
15 motions.

16 THE COURT: Our trial date is still --

17 MR. MASTER: September 30, we're on track for that.

18 THE COURT: And still available for that date.

19 What I would propose is, I think I may be able to put
20 on the calendar on motion on July 17. I have a trial starting
21 June 10, but I am hopeful, it's a four- to six-week trial, I'm
22 hopeful it's closer to four weeks than six weeks. Set it down
23 for July 17 at 10:00 o'clock; if that's a problem I'll let you
24 know beforehand.

25 Hopefully we'll be ready on that date and have the

1 motions and we can move forward. On that date we'll talk about
2 a date for pretrial conference and motions in limine, any for
3 pretrial submissions, if any issues need to be addressed with
4 regard to trial. But I'll still at this point hold my calendar
5 open for September 30 date.

6 At this point I assume that all defendants will be
7 going to trial. And any proposed dispositions before that time
8 contact my chambers, I'll bring in this each case individually
9 and do disposition.

10 Remind me from the Government's perspective
11 approximately how many witnesses you would have and how long it
12 would take.

13 MR. MASTER: We believe that this trial will also be
14 four- to six-week trial. We think in preparing for this
15 conference we attempted to identify the maximum number of
16 witnesses and it could be upwards, depending on stipulations
17 and potential resolutions, 40 to 50 Government witnesses; many
18 be would short, but others would be longer.

19 THE COURT: I'll set the next date for July 17 in
20 anticipation of all the motion dates which you indicated and
21 leave September 30 date for trial. I'll look and see.
22 Obviously, within that period of time I think there are
23 several, may be several court holidays, we'll work around those
24 also. There may or may not be some religious holidays as well.
25 Look at your calendars. If it seems crowded particularly in

1 the gaps in trial if we start September 30. The 14th of
2 October is Columbus Day, the 11th of November is Veteran's Day,
3 we're closed on those two days. Thanksgiving at this point is
4 the 28th of November. So hopefully we can get the case to the
5 jury before Thanksgiving if we start on the 30th. Is there
6 anything else that needs to be addressed by the defense?

7 MR. MASTER: We're prepared to put on the record the
8 proposed dates that we've agreed to 404B notice by August 1st.

9 THE COURT: Okay.

10 MR. MASTER: And Government's prepared to turn over
11 exhibits one month before trial subject to any discovery of
12 breaking late identified evidence, but we're prepared to turn
13 over exhibits on August 30 and 3500 material on September 6,
14 which is one week later, more than three weeks before trial.

15 THE COURT: Okay, September 6, did you say?

16 MR. MASTER: Yes.

17 THE COURT: That will be great.

18 MR. SHARGEL: The only other thing, in limine motions
19 will be filed August 15.

20 THE COURT: Let me do this, let me give you the
21 go-ahead and give you a pretrial conference date so you can put
22 that on your schedule. Let's say, how is September 18,
23 Wednesday, September 18 at 10:30.

24 MR. SHARGEL: That works for us.

25 THE COURT: That's the date I'll set for pretrial

1 conference. We'll have all those dates appropriately locked in
2 then we'll move forward officially and see everyone on July 17.
3 Is there anything else that we need to address?

4 MR. SHARGEL: No, your Honor.

5 MR. MASTER: No, your Honor.

6 THE COURT: I'll see you on that date. We'll move
7 forward on July 17. For any disposition contact my chamber so
8 we can move those out of the way as quickly as possible.

9 (Proceedings concluded.)
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